

AMENDED IN SENATE JULY 6, 2011  
AMENDED IN ASSEMBLY MAY 10, 2011  
AMENDED IN ASSEMBLY APRIL 26, 2011  
AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 28**

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**Introduced by Assembly Member Huber**

December 6, 2010

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An act to amend *Sections 9148 and 9148.8 of, to repeal Section 3119.2 of, and to repeal Article 2 (commencing with Section 3113) of Chapter 8.5 of Division 4 of Title 1 of, the Government Code, and to amend Sections 4004, 8000, 8001, and 8052 of, to repeal Sections 495, 8002, and 8051 of, and to repeal Chapter 3 (commencing with Section 2600) of Division 2 of, the Vehicle Code, relating to—vehicles governmental reorganization.*

LEGISLATIVE COUNSEL'S DIGEST

AB 28, as amended, Huber. ~~Commercial vehicles: Reciprocity Commission.~~ *Governmental reorganization.*

*(1) Existing law establishes the Office for Citizen Initiative and Voluntary Action within the office of the Governor, and grants it certain powers and duties for the purpose of advocating and encouraging citizen initiative and volunteer action.*

*This bill would repeal the statutes establishing the Office for Citizen Initiative and Voluntary Action within the office of the Governor, and make various conforming changes.*

(2) *Existing law requires the author or sponsor of legislation that creates a new state board, a new state board that is advisory only, or a new category of licensed professionals to prepare a plan that contains certain requirements. Existing law authorizes the chairperson of the appropriate policy committee to direct the Joint Committee on Boards, Commissions, and Consumer Protection to evaluate a plan prepared pursuant to either of those provisions. Existing law requires these provisions to apply to any state board that is proposed for creation by the Legislature on or after January 1, 1991, or any category of licensed professional that is proposed for creation by the Legislature on or after January 1, 1995.*

*This bill would, instead, require these provisions to apply only to any state board or category of licensed professional proposed for creation by the Legislature.*

*This bill would also revise these provisions to require that the appropriate policy committee of the Legislature evaluate a plan prepared pursuant to the provisions described above. This bill would also authorize the chairperson of a policy committee to alternatively require that the Joint Sunset Review Committee evaluate and provide recommendations on any plan prepared pursuant to the provisions described above, or any other legislative issue or proposal to create a new state board. This bill would provide that if the appropriate policy committee does not evaluate a plan prepared pursuant to those provisions, the Joint Sunset Review Committee is required to evaluate and provide recommendations on that plan.*

**Existing**

(3) *Existing law establishes the Reciprocity Commission composed of the Lieutenant Governor, the Director of Motor Vehicles, the Director of Transportation, the Controller, and the Commissioner of the California Highway Patrol for the purpose of, among other things, entering into agreements with foreign jurisdictions that provide for the exemption of fees for commercial vehicles if the foreign jurisdictions provide equivalent exemptions to vehicles registered in California.*

*Existing law authorizes the Reciprocity Commission to enter into agreements on behalf of the State of California with the duly authorized representatives of any foreign jurisdiction providing for the registration of vehicles on an apportionment or allocation basis and to enter into, and become, a member of the International Registration Plan Agreement developed by the American Association of Motor Vehicle Administrators.*

The bill would instead authorize the ~~director~~ *Director of Motor Vehicles*, or his or her designee, to enter into agreements on behalf of the state with the duly authorized representatives of any foreign jurisdiction.

~~Under~~

(4) *Under* existing law, a commercial motor vehicle registered in a foreign jurisdiction, subject to registration in this state, may, as an alternative to registration in this state secure a temporary registration to operate in this state for a period of not to exceed 90 days, or a trip permit to operate in this state for a period of four consecutive days. This privilege does not extend to a vehicle registered in any jurisdiction with which the state of California does not have vehicle licensing reciprocity, unless the commission extends the privilege, by rule, after hearing.

This bill would delete this prohibition against extending this privilege.

~~Existing~~

(5) *Existing* law authorizes the state, in administering the International Registration Plan, to collect all appropriate registration and license fees due other jurisdictions. Existing law provides that foreign jurisdictions that are members of the agreement are authorized to collect all appropriate registration and license fees due to the State of California, and remit those fees to this state pursuant to the terms of the agreement.

Existing law requires the Director of Motor Vehicles to provide such assistance to the commission as it may require.

This bill would delete all references to the “Reciprocity Commission” and instead substitute the Director of Motor Vehicles, or his or her designee, who would administer the terms and conditions of the International Registration Plan and collect all appropriate registration and license fees due other jurisdictions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 *SECTION 1. Article 2 (commencing with Section 3113) of*
- 2 *Chapter 8.5 of Division 4 of Title 1 of the Government Code is*
- 3 *repealed.*
- 4 *SEC. 2. Section 3119.2 of the Government Code is repealed.*
- 5 *3119.2.—(a) There is hereby created, within the Office for*
- 6 *Citizen Initiative and Voluntary Action, an advisory body which*
- 7 *shall be known as the Public Employee Review Committee.*

~~(b) Membership on the committee shall consist of nine members appointed by the Governor. The Governor shall select the members of the committee from lists or nominations prepared by recognized public employee labor unions, organizations, and associations. Membership on the committee shall be proportional to the numbers of persons in the state service represented by each union, association, or organization.~~

~~(c) Membership on the committee is completely voluntary and no member shall be reimbursed for expenses incurred in fulfilling the obligations of the committee.~~

~~(d) The committee shall analyze actions of the office, critique the effectiveness of the office, make relevant recommendations to the office with respect to volunteerism, and provide its determinations thereon to the office for incorporation into the annual report required to be submitted by the office to the Legislature.~~

*SEC. 3. Section 9148 of the Government Code is amended to read:*

*9148. Any state board or category of licensed professional proposed for creation by the Legislature on or after January 1, 1991, or any category of licensed professional proposed for creation by the Legislature on or after January 1, 1995, shall be subject to this article.*

*SEC. 4. Section 9148.8 of the Government Code is amended to read:*

*9148.8. (a) The Joint Committee on Boards, Commissions, and Consumer Protection, acting pursuant to a request from the chairperson of the appropriate policy committee, appropriate policy committee of the Legislature shall evaluate a plan prepared pursuant to Section 9148.4 or 9148.6. The chairperson of a policy committee may alternatively require that the Joint Sunset Review Committee evaluate and provide recommendations on any plan prepared pursuant to Section 9148.4 or 9148.6, or any other legislative issue or proposal to create a new state board.*

*(b) Evaluations prepared by the Joint Committee on Boards, Commissions, and Consumer Protection pursuant to this section shall be provided to the respective policy and fiscal committees of the Legislature pursuant to rules adopted by each committee for this purpose. The Joint Sunset Review Committee shall provide to the respective policy and fiscal committees of the Legislature*

1 *any evaluation and recommendations prepared pursuant to this*  
2 *section.*

3 *(c) If an appropriate policy committee does not evaluate a plan*  
4 *prepared pursuant to Section 9148.4 or 9148.6, then the Joint*  
5 *Sunset Review Committee shall evaluate and provide*  
6 *recommendations to the Legislature on any plan prepared pursuant*  
7 *to either of those provisions.*

8 **SECTION 1.**

9 **SEC. 5.** Section 495 of the Vehicle Code is repealed.

10 **SEC. 2.**

11 **SEC. 6.** Chapter 3 (commencing with Section 2600) of Division  
12 2 of the Vehicle Code is repealed.

13 **SEC. 3.**

14 **SEC. 7.** Section 4004 of the Vehicle Code is amended to read:  
15 4004. (a) (1) Commercial motor vehicles meeting the  
16 registration requirements of a foreign jurisdiction, and subject to  
17 registration but not entitled to exemption from registration or  
18 licensing under any of the provisions of this code or any  
19 agreements, arrangements, or declarations made under Article 3  
20 (commencing with Section 8000) of Chapter 4, may, as an alternate  
21 to registration, secure a temporary registration to operate in this  
22 state for a period of not to exceed 90 days, or a trip permit to  
23 operate in this state for a period of four consecutive days.

24 (2) Each trip permit shall authorize the operation of a single  
25 commercial motor vehicle for a period of not more than four  
26 consecutive days, commencing with the day of first use and three  
27 consecutive days thereafter. Every permit shall identify, as the  
28 department may require, the commercial motor vehicle for which  
29 it is issued. Each trip permit shall be completed prior to operation  
30 of the commercial motor vehicle on any highway in this state and  
31 shall be carried in the commercial motor vehicle to which it applies  
32 and shall be readily available for inspection by a peace officer.  
33 Each permit shall be valid at the time of inspection by a peace  
34 officer only if it has been completed as required by the department  
35 and has been placed in the appropriate receptacle as required by  
36 this section. It is unlawful for any person to fail to comply with  
37 the provisions of this section.

38 (b) The privilege of securing and using a trip permit or a  
39 temporary registration not to exceed 90 days shall not extend to a  
40 vehicle that is based within this state and is operated by a person

1 having an established place of business within this state. For  
2 purposes of this paragraph, a commercial motor vehicle shall be  
3 considered to be based in this state if it is primarily operated or  
4 dispatched from or principally garaged or serviced or maintained  
5 at a site with an address within this state.

6 (c) Any trailer or semitrailer identified in paragraph (1) of  
7 subdivision (a) of Section 5014.1 that enters the state without a  
8 currently valid license plate issued by California or another  
9 jurisdiction shall be immediately subject to full identification fees  
10 as specified in subdivision (e) of Section 5014.1.

11 ~~SEC. 4.~~

12 *SEC. 8.* Section 8000 of the Vehicle Code is amended to read:

13 8000. The director, or his or her designee, may enter into  
14 agreements with foreign jurisdictions that provide for the  
15 exemption of fees for commercial vehicles if the foreign  
16 jurisdictions provide equivalent exemptions to vehicles registered  
17 in this state. The agreements shall be applicable to vehicles that  
18 are properly licensed and registered in the foreign jurisdictions.  
19 The director, or his or her designee, may also enter into agreements  
20 that provide for the exemption of regulatory fees which are, or  
21 may be, imposed, by the Public Utilities Code or the department.

22 ~~SEC. 5.~~

23 *SEC. 9.* Section 8001 of the Vehicle Code is amended to read:

24 8001. The director, or his or her designee, is authorized to  
25 examine the legal requirements of commercial vehicle registration  
26 fee statutes of foreign jurisdictions which grant reciprocal  
27 privileges to out-of-state vehicles, but which do not authorize  
28 negotiations or execution of agreements. After examination of the  
29 statutes, the director, or his or her designee, may declare the  
30 exemptions, benefits, and privileges that commercial vehicles  
31 registered in foreign jurisdictions shall be entitled to in this state.

32 ~~SEC. 6.~~

33 *SEC. 10.* Section 8002 of the Vehicle Code is repealed.

34 ~~SEC. 7.~~

35 *SEC. 11.* Section 8051 of the Vehicle Code is repealed.

36 ~~SEC. 8.~~

37 *SEC. 12.* Section 8052 of the Vehicle Code is amended to read:

38 8052. (a) The director, or his or her designee, may, on behalf  
39 of the state, enter into, and become, a member of the International  
40 Registration Plan Agreement developed by the American

1 Association of Motor Vehicle Administrators. The director, or his  
2 or her designee, may adopt rules and regulations necessary to carry  
3 out the provisions of the International Registration Plan or other  
4 apportioned registration agreements entered into under the authority  
5 of this article.

6 (b) In administering the International Registration Plan, the state  
7 may collect all appropriate registration and license fees due other  
8 jurisdictions. Foreign jurisdictions that are members of the  
9 agreement shall be authorized to collect all appropriate registration  
10 and license fees due to the State of California, and remit the fees  
11 to this state pursuant to the terms of the agreement.